

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

vs.

12-cr-381

MICHAEL BOUCHARD,

Defendant.

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Telephone Conference - October 10, 2012

James Hanley Federal Building, Syracuse, New York

HONORABLE NORMAN A. MORDUE

United States District Judge, Presiding

A P P E A R A N C E S (by telephone)

For Government: OFFICE OF THE UNITED STATES ATTORNEY
 P.O. Box 7198
 100 South Clinton Street
 Syracuse, New York 13261-7198
 BY: MICHAEL OLMSTED,
 Assistant U.S. Attorney

For Defendant: GASPAR M. CASTILLO
 Attorney at Law
 817 Madison Avenue
 Albany, New York 12208

*Eileen McDonough, RPR, CRR
Official United States Court Reporter
P.O. Box 7367
Syracuse, New York 13261
(315) 234-8546*

1 (In chambers.)

2 THE COURT: Counsel? Gaspar, are you there?

3 MR. CASTILLO: Good afternoon, Judge.

4 THE COURT: Gaspar, the first thing I have got to
5 talk to you about, I got notified by the clerk's office, the
6 jury gal there, that you owe dues for 2011.

7 MR. CASTILLO: Really? I didn't know that.

8 THE COURT: Yeah. They said that they had notified
9 you before.

10 MR. CASTILLO: Yeah, I'm sure I was, but I thought
11 this was taken care of by my office. I'm glad that you're
12 telling me and I'll take care of it right away.

13 THE COURT: You got to, right, or you can't be
14 coming here.

15 MR. CASTILLO: I'll take care of that right away.

16 THE COURT: The second thing is, I just want to
17 know, do you have any response? The government made a motion
18 for discovery. Your responses were due yesterday. I don't
19 think you responded, did you?

20 MR. CASTILLO: Well, Judge, here is my position on
21 that. Mr. Olmsted has been very open with his discovery,
22 probably given me more than I could have ever asked for, and
23 it's literally hundreds and hundreds and hundreds of pages; I
24 couldn't tell you how many. I can tell you that I've got
25 them organized into binders and divided and I think I have 12

1 binders so far. And he recently sent me some more. And I
2 believe that there is more that's coming.

3 And I'm going to do my best to abide by the trial
4 date that you gave, but I'll tell you right now, it's an
5 awfully hard task to go through all that stuff and I've been
6 working on it diligently. I'm talking about trying to do
7 several hours every day on that one file and it's incredibly
8 difficult to not just to read it, as you know, but to read
9 it, absorb it and connect it with the other stuff.

10 THE COURT: Got you, sure. Well, there are
11 pretrial papers due next Monday also from you. Are you going
12 to have them in?

13 MR. CASTILLO: Yeah.

14 THE COURT: Okay.

15 MR. CASTILLO: I guess I was hoping, Judge, that
16 you would consider giving us more time for a trial.

17 THE COURT: I think Mr. Olmsted is ready to go.

18 MR. CASTILLO: I'm sorry?

19 THE COURT: I think Mr. Olmsted wants to go.

20 MR. OLMSTED: Well, we will get prepared to go,
21 Your Honor. I know that we had originally suggested a later
22 trial date when we got this trial date with the notification
23 that there wasn't going to be a delay. We realized as a
24 precaution we better start getting ready. On the other hand,
25 we thought that Mr. Castillo was going to ask for more time,

1 which we would not oppose. We have been getting ready. But
2 if we have to go to trial, we'll go to trial and our papers
3 will be ready on Monday.

4 THE COURT: I think everybody's moving along. I'm
5 going to hold your feet to the fire, both sides, and I want
6 to get this thing done. So that's basically all I wanted to
7 check with, to make sure that you got your biannual fee paid
8 there and you were aware, and get your paperwork in as quick
9 as you can. Okay?

10 MR. CASTILLO: Okay, Judge. Thank you.

11 THE COURT: Thanks, Mike.

12 MR. OLMSTED: Thank you, Judge.

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C E R T I F I C A T I O N

I, EILEEN MCDONOUGH, RPR, CRR, Federal Official Realtime Court Reporter, in and for the United States District Court for the Northern District of New York, do hereby certify that pursuant to Section 753, Title 28, United States Code, that the foregoing is a true and correct transcript of the stenographically reported proceedings held in the above-entitled matter and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.



EILEEN MCDONOUGH, RPR, CRR
Federal Official Court Reporter